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By: Bonnie HARDIN MITCHELL
Bonnie Hardin Mitchell
(Signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Rikihisa et al.)	Examiner: Not yet assigned
)	
Serial No.: Not yet assigned)	
Parent Serial No.: 09/314,701)	Art Unit: Not yet assigned
)	
Filed: Concurrently herewith)	Attorney Docket No.: 22727/04109
)	
For: OUTER MEMBRANE PROTEIN OF)	
EHRlichia CANIS AND EHRlichia)	
CHAFfeensis)	

Assistant Commissioner for Patents
New Application
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Please amend the above-identified patent application as follows:

IN THE SPECIFICATION

Page 1, line 1:

DIAGNOSIS OF EHRlichia CANIS AND EHRlichia CHAFfeensis

Cross-Reference to Related Applications

This application is a divisional of the co-pending, commonly assigned, United States Patent Application Serial No.: 09/314,701, filed on May 19,1999, which claims priority from U.S. Provisional Application, filed on September 18, 1998.

IN THE CLAIMS

Please cancel claims 1-14 and 21-23 without prejudice or disclaimer.

Please add the following claims:

24. (New) The method of claim 15 wherein the polypeptide is an antigenic fragment of SEQ ID NO:32.

25. (New) A method for diagnosing an *E. canis* infection in an animal comprising:

a) contacting a serum sample from the animal with an *E. canis* P30 protein or an antigenic fragment of the *E. canis* P30 protein, wherein said *E. canis* P30 protein comprises amino acid 26 through amino acid 288 of SEQ ID NO: 32, and

b) assaying for the formation of complex between antibodies in the serum sample and the *E. canis* protein or the antigenic fragment of the *E. canis* P30 protein, wherein formation of said complex is indicative of infection with *E. canis*.

26. (New) The method of claim 25 wherein said antigenic fragment comprises amino acid 33 through amino acid 224 of SEQ ID NO. 32.

27. (New) The antibody of claim 20 wherein said antibody binds to the *E. canis* P30 protein and wherein the *E. canis* P30 protein comprises amino acid 26 through amino acid 288 of SEQ ID NO: 32.

28. (New) A kit for diagnosing *E. canis* in an animal, said kit comprising the *E. canis* P30 protein, an antigenic fragment of the *E. canis* P30 protein, or both.

29. (New) The kit of claim 27 wherein said antigenic fragment comprises amino acid 33 through amino acid 224 of SEQ ID NO. 32.

30. (New) The kit of claim 27 further comprising a biomolecule for detecting interaction between the reagent and antibodies in a bodily sample of the animal.

REMARKS

Applicants are hereby amending the present divisional application to cancel claims 1-14 and 21-23 without prejudice or disclaimer. Applicants are hereby amending the specification of the present application to indicate that it is a divisional of U.S. Application NO. 09/314,701, and to provide a title which is more consistent with the inventions recited in the non-canceled claims. The amendments deal with formal matters and add no new matter. A document entitled "VERSION WITH MARKINGS TO SHOW CHANGES MADE" showing the additions as underlined and the deletions in brackets is attached hereto.

By the present amendment, applicants are also adding new claims 24-30. Support for new claim 24 is found in original claims 15 and 16 and on page 8, lines 20-22. Support for new claim 25 is found on line 30 of page 16 through line 19 of page 17, and on page 8, lines 20-22. Support for new claims 26, 27, and 29 is found on page 8, lines 20-22, and page 24, lines 15-16. Support for new claims 28 and 30 is found on line 30 of page 16 through line 19 of page 17, and page 8, lines 20-22.

As the amendments and new claims add no new matter, Applicants respectfully request entry of the present amendment.

Respectfully submitted,

Date: January 28, 2002

By: Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Page 1, line 1:

[OUTER MEMBRANE PROTEIN OF EHRLICHIA CHAFFEENSIS AND EHRLICHIA CANIS]

DIAGNOSIS OF EHRLICHIA CANIS AND EHRLICHIA CHAFFEENSIS

Cross-Reference to Related Applications

This application is a divisional of the co-pending, commonly assigned, United States Patent Application Serial No.: 09/314,701, filed on May 19,1999, which claims priority from U.S. Provisional Application, filed on September 18, 1998.